

- The '073 abstract states: "An integrated medical database system for the emergency medical transportation business is disclosed."
- The '073 also discloses a medical emergency database configured to store at least clinical encounter data; see e.g. "the server computer can access a statistical database 14 to store and extract statistical information from data entered during patient encounters," (Col 4: Lns 33-35); "The dispatch computer 20, as explained in more detail below, communicates with software for collecting information on the patient encounter and scheduling and deploying a crew to assist the injured patient." (Col 4: Lns 58-60).
- The '073 also discloses a medical emergency database configured to store patient demographic data: "The Clinical module is also divided into several submodules: patient demographics, basic incident description, treatment rendered prior to air medical service arrival, general assessment including vital signs, intake and output as well as trauma scores, physical exam by systems, impression and diagnosis, treatment including medications and advanced procedures, en route events, quality assurance, justification of transport, and patient disposition," (Col 7: Lns 11-18); "Patient demographic information is first taken automatically from the dispatch data, if available." (Col 7: Lns 22-23).
- The '073 also discloses a medical emergency database configured to store transport data: "Flight tracking and other transportation information 126 is processed within the flight submodule 118. Once the various submodules within the dispatch module 10 have processed their respective information, a set of patient demographic information 130 and flight information 135 is made available to the remaining modules," (Col 10: Lns 34-41); "[T]he server computer can access a statistical database 14 to store and extract statistical information from data entered during patient encounters. The collected statistics might include, for example, average scene and transport times, number of transport requests per demographic region and time of year, average number of advanced procedures performed by crew members and number of complications encountered;" (Col 4: Lns 32-39); "Mileage traveled and time stamping, including scene time, flight time and specialty times, such as crew change and pick up times as well as on site times, are calculated and recorded automatically from the information provided and dispatch feedback from flight crew." (Col 6: Lns 57-61).
- The '073 also discloses that at least a portion of the data is input by medical emergency personnel: "Within the medical database system 10, the helicopter 24, airplane 25 or ambulance 26 would include a portable computer 30 that is used by the emergency medical team during the patient encounter;" (Col 4: Lns 60-64) "Incident information, including the occurrence time, incident type (for example, motor vehicle accident, gun shot, fall, stabbing, drowning, loss of consciousness, pedestrian, cerebrovascular accident, chest pain, arrest, burn), type and description of accident (damage, extrication, loss of consciousness, other) can then be entered. Next, any treatment that was provided prior to air medical crew arrival is entered into the system. The name of first responders, along with the level of care provided and type of immobilization, airway management,

intravenous access, cardiopulmonary resuscitation, medications and other treatments are recorded.” (Col 8: Lns 35-44).

Therefore, the Applicants’ prior ‘073 Patent demonstrates that they possessed the each and every feature of Zak cited by the Examiner as it relates to the present application. And they possessed each of these elements at least 2 years prior to Zak. Therefore, the Zak reference is not prior art and cannot be used as a 103(a) reference. Without the Zak reference – *i.e.*, the primary 103(a) reference used in every pending rejection – Applicants respectfully request that all the rejections be withdrawn. Further, the Applicants believe that the application is now in condition for allowance.

II. No Disclaimers or Disavowals

Although the present communication includes characterizations of claim scope or referenced art, Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicants reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

III. Request For Interview Under MPEP 713.01

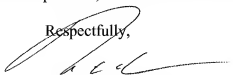
Should the Examiner believe the application is not in condition for allowance despite the amendments and remarks, Applicants request an interview with the Examiner to help expedite the case to final action. Applicants’ attorney will be in the Washington DC area conducting other USPTO interviews November 30 - December 2, 2009, with the preferred time of December 2, 2009 in the morning. The Examiner is invited to contact Applicants’ attorney at the telephone number below to set up a time for an interview.

IV. Conclusion

For at least the above reasons, Applicants respectfully submit that pending claims 1-12 and 14-19 are patentable over the cited prior art, and are therefore in condition for allowance.

Dated: November 19, 2009

Respectfully,



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